



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/994,455 12/19/97 ICHIMURA I SON-1212

LM02/0910

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EXAMINER

EDUN, M

ART UNIT

PAPER NUMBER

2753

DATE MAILED:

09/10/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/994,455

Applicant(s)

ICHIMURA et al.

Examiner

MUHAMMAD EDUN

Group Art Unit

2753



☒ Responsive to communication(s) filed on Dec 19, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-11 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-11 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2753

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamamoto et al..

Yamamoto et al. discloses the invention as claimed. Note Figs. 1-7 shows the optical disk recording and reproducing apparatus having the substrate of the optical disk being less than .3mm (see column 6, line 55); the objective lens (6), the forward lens (7); inherently indicating that there is a lens holder for fixing the objective lens and forward lens and to provide focussing servo control (see column 2, lines 1-15); actuator (12) for driving the objective lens and forward lens for focussing; and wherein the objective lens and forward lens having a total numerical aperture of .8 (see column 10), as set forth by the claims. See the description of the figures for further detail relating to the limitation as set forth in the dependent claims.

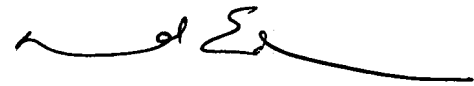
Art Unit: 2753

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Knight and Hirono et al., both discloses an optical disk recording and reproducing apparatus having an optical pickup with an objective lens and a forward lens.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUHAMMAD EDUN whose telephone number is (703) 308-1550.



**MUHAMMAD EDUN
PRIMARY EXAMINER
ART UNIT: 2753**

M.EDUN
September 9, 1999